

# DISTANCE EDUCATION PROGRAMS

## General Program Requirements and Information

The following selected information has been taken from Nevada Revised Statutes (NRS) to assist you in planning for a distance education program. It is strongly suggested that if you have any questions regarding distance education programs in Nevada that you refer to NRS 388.820 through 388.874 for specific wording of the distance education program requirements. If you do not have a hard copy of the statutes, they can be located at the Nevada Legislative Website: [www.leg.state.nv.us/law1.cfm](http://www.leg.state.nv.us/law1.cfm).

### Definitions

**“Course of distance education”** means a course of study that uses distance education as its primary mechanism for delivery of instruction.

**“Distance education”** means instruction which is delivered by means of video, computer, television, or the Internet or other electronic means of communication, or any combination thereof, in such a manner that the person supervising or providing the instruction and the pupil receiving the instruction are separated geographically for a majority of the time during which the instruction is delivered.

**“Program of distance education”** means a program comprised of one or more courses of distance education that is designed for pupils who:

1. A pupil may enroll in a program of distance education only if the pupil satisfies the requirements of any other applicable statute and the pupil:

(a) Is participating in a program for pupils at risk of dropping out of school pursuant to [NRS 388.537](#);

(b) Is participating in a program of independent study pursuant to [NRS 389.155](#);

(c) Is enrolled in a public school that does not offer certain advanced or specialized courses that the pupil desires to attend;

(d) Has a physical or mental condition that would otherwise require an excuse from compulsory attendance pursuant to [NRS 392.050](#);

(e) Would otherwise be excused from compulsory attendance pursuant to [NRS 392.080](#);

(f) Is otherwise prohibited from attending public school pursuant to [NRS 392.264](#), [392.4642](#) to [392.4648](#), inclusive, [392.466](#), [392.467](#) or [392.4675](#);

(g) Is otherwise permitted to enroll in a program of distance education provided by the board of trustees of a school district if the board of trustees determines that the student will benefit from the program, or

(h) Is otherwise permitted to enroll in a program of distance education provided by the governing body of a charter school if the governing body of the charter school determines that the student will benefit from the program.

### **General Program Requirements**

1. A program of distance education may include, without limitation, an opportunity for pupils to participate in the program:
  - (a) For a shorter school day or a longer school day than that regularly provided for in the school district or charter school, as applicable; and
  - (b) During any part of the calendar year.
2. If a program of distance education is provided for pupils on a full-time basis, the program must include at least as many hours or minutes of instruction as would be provided under a program consisting of 180 days. Distance Education courses approved by the Department are considered to meet this criteria.
3. The board of trustees of a school district or the governing body of a charter school that provides a program of distance education shall ensure that, for each course offered through the program, a teacher:
  - (a) Provides the work assignments to each pupil enrolled in the course that are necessary for the pupil to complete the course; and
  - (b) Meets or otherwise communicates with the pupil at least once each week during the course to discuss the pupil's progress.
4. If a course offered through a program of distance education is a core academic subject, the teacher who fulfills the requirements must be a licensed teacher.

### **Written Agreement Requirements – School Districts**

1. Before a pupil may enroll full time or part time in a program of distance education that is provided by a school district other than the school district in which the pupil resides, the pupil must obtain the written permission of the board of trustees of the school district in which the pupil resides. Before a pupil who is enrolled in a public school of a school district may enroll part time in a program of distance education that is provided by a charter school, the pupil must obtain the written permission of the board of trustees of the school district in which the pupil resides. A pupil who enrolls full time in a program of distance education that is provided by a charter school is not required to obtain the approval of the board of trustees of the school district in which the pupil resides.
2. If the board of trustees of a school district grants permission to allow the enrollment of a student into a distance education program offered by an entity other than their own school district, the board of trustees shall enter into a written agreement with the board of trustees or governing body, as applicable, that provides the program of distance education. A separate agreement must be prepared for each year that a pupil enrolls in a program of distance education.

### **Written Agreement Requirements – Charter Schools**

1. If a pupil is enrolled in a charter school, he may enroll full time in a program of distance education only if the charter school in which he is enrolled provides the program of distance education.
2. Before a pupil who is enrolled in a charter school may enroll part time in a program of distance education that is provided by a school district or another charter school, the pupil must obtain the written permission of the governing body of the charter school in which the pupil is enrolled.
3. If the governing body of a charter school grants permission to allow the enrollment of a student into a distance education program offered by an entity other than their own charter school, the governing body shall enter into a written agreement with the board of trustees or governing body, as applicable, that provides the program of distance education. A separate agreement must be prepared for each year that a pupil enrolls in a program of distance education.
4. If the governing body of a charter school provides a program of distance education, the governing body shall:
  - (a) For each pupil who is enrolled in the program, provide written notice to the board of trustees of the school district in which the pupil resides of the type of educational services that will be provided to the pupil through the program. The written notice must be provided to the board of trustees before the pupil receives educational services through the program of distance education.

### **Teacher and Pupil Course Participation Requirements**

1. The board of trustees of a school district or the governing body of a charter school that provides a program of distance education shall ensure that for each course offered through the program: a teacher provides the work assignments to each pupil enrolled in the course that are necessary for the pupil to complete the course; meets or otherwise communicates with the pupil at least once each week during the course to discuss the pupil's progress; and enters into a written agreement with the pupil and his parent or legal guardian outlining the objectives of the course, the timeline for completion of the course and the method by which the progress of the pupil will be assessed.

### **Revocation of approved distance education course or program.** (Found in Nevada Administrative Code, Chapter 388)

1. The state board may revoke approval for a distance education program to operate within the state or revoke the approval of a distance education course to be included on the state approved listing of distance education courses, if a majority of the board determines that the provider has failed to comply with:
  - (a) The terms and conditions of the approved application;
  - (b) Generally accepted standards of accounting and fiscal management; or

- (c) The distance education provisions outlined in Nevada Revised Statutes, or any other statutes and regulations applicable to the operation and management of a distance education program or approved distance education course.
2. If the department receives a complaint or has reason to believe that a distance education program or course is not in compliance with any of the terms identified in statute, a review of the course or program to include the possibility of an audit may be conducted by the department.
- (a) If a review of the course or program of distance education is conducted, the department will notify the provider of the distance education program or course of the department's intent and the dates the review will be conducted.
  - (b) The notice shall identify the specific concerns to be addressed during the review.
  - (c) The department will file a written report with the distance education program or course provider of any deficiencies found during the review and provide a timeline for correction.
  - (d) If the deficiencies are not corrected within the timeline specified in the written report, the department may recommend revocation of the approval to operate the distance program or removal of the distance education course from the state approved listing of distance education courses to the state board.
    - (1) The recommendation for revocation will be presented for consideration at the next scheduled state board meeting after the time has passed for the deficiencies to be corrected.
3. The state board will provide notice of its intent to revoke its approval to provide the distance education program or course in Nevada. As part of the notice, the board will:
- (a) Send by certified mail its intent to revoke the approval of the distance education program or course to the appropriate person, entity, board of trustees or governing body;
    - (1) A specific time and location must be designated for the revocation hearing to be held at a regularly scheduled state board meeting.
  - (b) Provide in writing, the deficiencies found that are cause for initiating the revocation procedure at least 30 calendar days before the state board meeting;
    - (2) The state board will notify the distance education program or course provider, in writing by way of certified mail, the decision of the board within 7 calendar days after the meeting.
      - (a) If the decision is to revoke the approval to operate the program or to offer the course, the distance education program or course provider must cease operation of the program or use of the course immediately upon notification of the board.